

REMARKS

The Restriction Requirement, Applicant's Response and Amendment

The Examiner required restriction, under 35 U.S.C. § 121, and required Applicant to elect a single invention to which the claims must be restricted. The Examiner designated the following three claim groups:

1. Group I; Claims 109 and 114-115 (in part); and Claims 110-111, drawn to human PAPS synthetase of SEQ ID NO:7 and fragments thereof, encoded by SEQ ID NO:9 and fragments thereof;

2. Group II; Claims 109 and 112-113 (in part); and Claims 110-111, drawn to *mouse* PAPS synthetase of SEQ ID NO:8 and fragments thereof, encoded by SEQ ID NO:10 and fragments thereof; and

3. Group III; Claims 116-120, drawn to a protein therapy method for treating a human subject having an osteoarthritic disorder, and a kit comprising the protein.

In response, Applicant elects designated **Group I** without traverse. Accordingly, Applicant has canceled Claims 112, 113, and 116-120, without prejudice, as being directed to non-elected claim groups, which cancellation is done with a reservation of all rights, under 35 U.S.C. § 121, to file a continuation or divisional application directed to the non-elected subject matter.

Applicant has amended Claim 109 to delete the recitation of non-elected SEQ ID NO:8.

Claims 109-111 have also been amended to delete the parentheses and extraneous periods from the sequence designations. These amendments are merely refining and do not pertain to any issue of patentability.

In addition, Applicant has amended Claim 111 to recite "... , or by a degenerate sequence of either of these." Support for the amendment is found in the specification, as originally filed, e.g., at page 15, lines 14-16.

The amendments submitted herein contain no new matter.

Respectfully submitted,

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